

REMARKS

Claims 4 and 6-8 are pending.

The support for the claim amendments are as follows: Claims 4 and 6: (p.6, line 21) and Claim 7: (p.3, lines 17-18). The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated March 8, 2007.

Claims 4 and 6-8 are rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement. (Office Action, p.3)

The expression “a promoter of α -amylase” was amended to “a promoter of a gene encoding α -amylase” to clarify the expression.

Antecedent basis for “the structural gene” was corrected.

It is respectfully requested the rejection be withdrawn.

Claim 7 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. (Office Action p.3)

Claim 7 was drafted in independent form, thereby overcoming the objection. It is respectfully requested that the objection be withdrawn.

U.S. Patent Application Serial No. 10/532,064
Response filed June 6, 2007
Reply to OA dated March 8, 2007

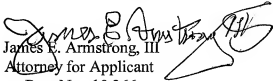
In view of the aforementioned amendments and accompanying remarks, claims 4 and 6-8, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP


James E. Armstrong, III
Attorney for Applicant
Reg. No. 18,366

JEA/dw
Atty. Docket No. 050253
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE

HAFL0ATERSUAMIB05050253050253 amd 5-14-07